IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3656 OF 2004

Chandrakant J. Patel & Anr. ...Petitioners.

V/s.

Wadala Udyog Bhavan ...Respondent.

Shri G.S.Godbole,Counsel for Petitioners.

Shri A.C.Sampat, Counsel for Respondent.

CORAM: D.G.KARNIK,J

DATE : 23rd August,2004.

P.C. :

1. Heard the learned Counsel for the parties. This Writ Petition is filed against the interlocutory order passed by the Appellate Court. The learned Counsel for the parties state that the entire Appeal has been finally heard and adjourned for Judgment. In the circumstances, it would not be appropriate for this Court to entertain this Writ Petition against an interlocutory order at this stage. In view of this, the learned counsel for the petitioners seeks leave to withdraw the petition with liberty to challenge the

interlocutory order while challenging the final decision in the Appeal if it is adverse. The petitioners will always have such liberty. Hence Writ Petition dismissed as withdrawn with liberty to petitioners to challenge the interlocutory order while challenging the final decision in the Appeal. Ad-interim orders, if any, stand vacated.

2. Ordinary copy of the order duly authenticated by Office is allowed.

(D.G.KARNIK,J)